

	KANSAS CITY MISSOURI POLICE DEPARTMENT PERSONNEL POLICY	DATE OF ISSUE 06-29-2016	EFFECTIVE DATE 06-29-2016	NO. 201-9
SUBJECT Policy Series 200: Employee Guidelines 201 - Code of Ethics and Rules of Conduct			AMENDS	
REFERENCE RSMo. Chapter 84, and 571.107 PI: "Response to Resistance." PPBM: 203, "Drug Abuse Testing" 218, "Uniform and Personal Appearance Regulations" 261, "Social Media and Networking" 430, "Performance Review Process" 933, "Personnel Data Changes"		RESCINDS PPBM: 201-8		

I. INTRODUCTION

- A. The Code of Ethics and Rules of Conduct are mandates for the conduct of all Kansas City Missouri Police Department (Department) members. The Department is a public service organization; therefore, the actions of each of its members are subject to observation and scrutiny.
- B. These Rules of Conduct are neither intended to cover every situation, nor be exclusive of any other department written directive or pronouncement by the Chief of Police, or designee. Members are expected to conduct themselves at all times in accordance with such directives and in a manner which will reflect favorably upon the community, the law enforcement profession, the Department, and themselves.

II. POLICY

- A. Members are charged with the duty to conduct themselves at all times in keeping with the Code of Ethics, the Rules of Conduct, and the policy statements of the Chief of Police; all activity contrary to this concept, whether or not specifically mentioned or prohibited in these rules, may subject members to disciplinary action.
- B. Supervisors and commanders will carry out all duties and responsibilities imposed upon them by virtue of their rank in an ethical and professional manner. Supervisors and commanders will regularly monitor the relationships and activities of assigned subordinates to ensure that members treat each other and the public with respect and dignity. All activity contrary to this concept may subject supervisors and commanders to disciplinary action.

III. CODE OF ETHICS

All members must be fully aware of the ethical responsibilities of their position and constantly strive to live up to the highest possible standards of professional policing. It is important that members have clear advice and counsel available to assist them in performing their duties consistent with these standards. The Department has adopted the following ethical mandates:

A. Cooperation with Other Officers and Agencies

Members will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

B. Confidentiality

1. Members of the public have a right to security and privacy; information obtained concerning them will not be improperly divulged.
2. Members will keep secret what they see, hear, or learn of, which is confidential in nature, unless the performance of duty or legal provision requires otherwise.

C. Discretion

1. Members will responsibly use the discretion vested in their position and exercise it within the law.
2. The principle of reasonableness will guide members' determinations and they will consider all surrounding circumstances in determining whether any action will be taken.
3. Sworn members will not permit personal antagonisms or friendships to influence their exercise of discretion in stopping, questioning, arresting, or releasing members of the public.

D. Integrity

1. Members will not engage in acts of corruption or bribery, nor will members condone such acts by other members.
2. The public demands that the integrity of all members be above reproach. Therefore, members must avoid any conduct that might compromise integrity and thus undercut the public confidence in the Department.

3. Sworn members will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the sworn member to refrain from performing official responsibilities honestly and within the law.
4. Sworn members must not receive private or special advantage from their official status.

E. Performance of Duties

- *1. Members will perform all duties impartially without favor or affection or ill will and without regard to status, age, sex, gender, race, color, religion, disability, gender identity, sexual orientation, or national origin. All citizens will be treated equally with courtesy, consideration, and dignity.
2. Sworn members will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, sworn members will strive to obtain maximum cooperation from the public.
3. Sworn members will conduct themselves in appearance and demeanor in such a manner as to inspire confidence and respect for the position of public trust they hold.

F. Primary Responsibilities

1. Sworn members act as official representatives of government and are required and trusted to work within the law.
2. Sworn members' powers and duties are conferred by state statute.
3. Fundamental duties of sworn members include: serving the community, safeguarding lives and property, protecting the innocent, keeping the peace, and ensuring the rights of all to liberty, equality, and justice.

G. Private Life

1. Members will behave in a manner that does not bring discredit to themselves or the Department.
2. The character and conduct of members while off-duty must always be exemplary, thus maintaining positions of respect in the community in which they live and serve.

3. Each member's personal behavior must be beyond reproach.

H. Professional and Personal Capabilities

1. Members will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.
2. Through study and experience, members can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty.

I. Use of Force

Members will never engage in cruel, degrading, or inhumane treatment of any person. Members should refer to the current written directive entitled, "Response to Resistance."

IV. RULES OF CONDUCT

A. Members will:

1. Report any violation of the Code of Ethics or Rules of Conduct committed in their presence by other members.
2. Read and sign, acknowledging they have received and reviewed all current department written directives issued to them, e.g., Procedural Instructions, Personnel Policies.
3. Be punctual in reporting for duty and in maintaining assigned work schedules.
4. Be alert throughout their tour of duty/shift and will prepare themselves by having adequate rest and sleep prior to reporting for duty.
5. Be dignified, courteous, and cooperative with other members of the Department, with officials and members of other government and law enforcement organizations.
6. Be civil and respectful to members of superior ranks, whether of the Department or another.

7. Promptly obey all lawful and proper orders and instructions issued by a supervisor/commander regardless of the manner by which they are transmitted or received. Lawful and proper orders and instructions are those which conform to the policies and orders set forth or provided for in the department written directives or the minutes of the Board of Police Commissioners.
8. Make inquiry if they do not understand an order.
9. Treat as confidential the official business of the Department.
 - a. Members will not impart it to anyone except those for whom it is intended, or as directed by their supervisor/commander, or by the requirements of the Department and the law.
 - b. A member may comment upon current news to representatives of the media, upon establishing their identity, providing that the ends of justice are not thereby defeated or otherwise prohibited by the Department's written directives.
10. Obey all municipal ordinances, state and federal laws.
11. Provide for the proper care, control, and/or use of all clothing and equipment assigned to them for the performance of their duties. For further information, refer to the current written directive entitled, "Uniform and Personal Appearance Regulations."
12. Maintain a satisfactory level of performance during the term of their appointment as members of the Department. For further information, refer to the current written directive entitled, "Performance Review Process."
13. Summon an on-duty officer to handle the situation, unless it is of an emergency nature, if a member or any of the member's immediate family becomes involved in a situation requiring police attention.
14. Be required to submit to a polygraph test administered by a competent operator in the interest of clarifying any departmental matter to which the member is a party, or concerning any such matter about which it is believed the member has information of value.
15. Be required to submit to random chemical testing. For further information refer to the current written directive entitled, "Drug Abuse Testing."
16. Be required to submit to a drug test to determine the use of drugs

when ordered to do so by a supervisor/commander, if reasonable suspicion exists that a member is under the influence of illegal drugs or has misused prescription/non-prescription drugs. For further information refer to the current written directive entitled, "Drug Abuse Testing."

17. Notify the Chief of Police in writing of their intentions to enlist in the National Guard or any reserve component of the Armed Forces of the United States.

B. Members will not:

1. Be absent from duty without properly authorized leave.
2. Use their off duty time in any manner that renders them unfit for the proper and efficient performance of their duties.
3. While on-duty or in uniform:
 - a. Consume intoxicants.
 - (1) Exception – Members assigned to duty in civilian clothes may use intoxicants if this is absolutely necessary in the performance of duty, providing such use does not render them unfit for the proper and efficient performance of duty.
 - (2) Under no circumstances will a member be under the influence of an intoxicant while at work even if the intoxication level is under the legal limits prescribed by law except in the performance of duty.
 - b. Or in any police department building/vehicle, have intoxicants in their possession, except for evidentiary purpose.
4. Report for duty under the influence of intoxicants or with the odor of intoxicants on their breath. Either condition will; cause them to be considered unfit for duty. For further information refer to the current written directive entitled, "Drug Abuse Testing."
5. Read or write while on-duty to a degree that hinders the proper performance of their duties or in any manner that would tend to bring discredit to or embarrassment upon the Department, except as authorized or required in the performance of duty.

6. Use uncivil, harsh, profane, or vulgar language, even under great provocation.
7. Engage in or attempt to engage in, or knowingly consent to any form of dishonesty, including deviations from the truth, whether on or off duty.
8. Engage in any illegal, immoral, or indecent conduct, nor in any normally legitimate act which, when performed in view of the public, would tend to reflect discredit upon the Department.
9. Recommend or suggest to any citizen the services of any lawyer, bondsman, funeral services, or tow service.
10. Make a commitment to pay money which is chargeable to the Department, without proper authorization. Liability for such improper or unauthorized actions will rest with the member incurring the debt.
11. Act as surety (bondsman) on any bond for any person arrested by the Department.
12. Accept any other position of public trust or affiliate with any organization which might tend to interfere with the effective and impartial performance of their duties.
13. Join or associate with any organization involved in activities which interfere with the orderly process of justice or government by illegal means or which advocate racism, criminality, or violence.
14. Knowingly associate or have any dealings with people engaged in unlawful activities, nor frequent or operate places in which unlawful activities are conducted while either on or off duty, except when necessary in the official performance of duty.
15. Withhold unfavorable or provide false information concerning a prospective member of the Department.
16. Cheat on any type of exam, process, or assist another person to do so. RSMo. 84.830.5

17. Directly or indirectly, cause or permit any person outside the Department to make a request or recommendation for them or on their behalf pertaining to promotion, transfer, assignment, proposed, present or future change of status, or any other matter in any way affecting their duties within the Department. This rule will not include applications made on behalf of members of the Department by their duly designated attorneys or agencies in connection with legal proceedings or complaints.
18. While off duty, use alcohol to a degree or in such a manner as to discredit the Department.
19. While in uniform, enter a tavern/nightclub except in the necessary performance of police duty. A tavern is defined as any place that predominately sells intoxicating liquor, deriving more than fifty (50) percent of its annual gross sales from the sale of alcoholic beverages.
20. Solicit services or anything of value, intrinsic or otherwise, for any purpose whatsoever, by acting in a manner or making representations in any form which appears to have the official sanction of the Department but, in fact, does not.
21. Accept awards, gifts, or other compensation as payment for services rendered in connection with their official duties unless approved by the Board of Police Commissioners following recommendation by the Chief of Police. RSMo. 84.630
22. On or off duty;
 - a. Engage in any conduct or commit any disorder or neglect to the prejudice of good order and discipline of the Department, or
 - b. Engage in any conduct of a nature to bring discredit upon the member or the Department, or
 - c. Engage in any conduct unbecoming a member of the Department.
 - d. Conduct unbecoming a member of the Department will include any conduct which adversely affects the morale or efficiency of the Department and any conduct which has a tendency to adversely affect, lower, or destroy public respect and confidence in the Department or its members.

23. Manufacture, distribute, dispense, possess, or use a controlled substance under Missouri statutes or federal law is prohibited.
24. Discuss the identity and assignment of any member in a confidential assignment unless required to do so as a direct result of their duties.
25. Possess concealed weapons of any kind on department property or while on department time unless authorized to carry a firearm as part of their regular job duties. For the purposes of this policy, "possession" includes but is not limited to, concealed weapons left unattended in any vehicle parked on department property. RSMo. 571.107.1
26. Covertly record other members without the prior approval of the Chief of Police.

C. Sworn members:

1. In civilian clothing will identify themselves by displaying their badges and identification cards when the use of official status is being exerted or implied while on-duty or off-duty.
2. Will not carry or use unauthorized weapons while on-duty.
3. Will not accept or complete, or cause to be completed any form or legal document designed for making claim for rewards, gifts, or other compensation such as:
 - a. Monetary reward or fee for apprehension of military personnel absent without leave (AWOL) or classified as a deserter.
 - b. Monetary reward or fee for apprehension of persons who have entered the country illegally.
 - c. Monetary reward, gift, or special consideration in the form of service for the recovery of property of any description.
 - d. Monetary reward for the capture and arrest of any local, state, or federal fugitive from justice.
 - e. Witness fee for the filing of information on or arraignment of any federal law violator within the local geographical area.

- f. Processing fee, service fee, or execution fee on any warrant, subpoena, court order, or replevin order whether it be issued at the local, state, or federal level.
- g. Witness fee for appearing in a local area criminal or civil court of law in conjunction with some action or service performed by virtue of their sworn status.
- h. Monetary reward, gift, or special consideration in the form of service offered for information, arrest, or conviction of a person(s) responsible for destruction of property or theft of property.

D. Political Activity RSMo. 84.400 and 84.830.1 through 84.830.7

- 1. Any violation of the listed statutes will constitute grounds for mandatory termination.
- 2. Members are prohibited from becoming a candidate or accepting a position of public trust, compensation, or knowingly receiving any nomination for an office elected by the people or at the hands of any political party. RSMo. 84.400
 - a. The member must publically decline any nomination within five (5) days.
 - b. Failure to decline a nomination as required, or becoming a candidate for the nomination for any office at the hand of a political party, will result in the member forfeiting and vacating their employment and their employment will be terminated with the Department.
- 3. Members will retain the right to vote as they may choose and to express their opinions on all political subjects and candidates so long as such expression does not violate other statutes, other rules or policies of the Department. RSMo. 84.830 and 84.400. Members should also refer to the written directive entitled, "Social Media and Networking."
- 4. Members will not:
 - a. Permit any solicitation for political purpose in any building, room or property utilized for the discharge of the official duties of the Department. RSMo. 84.830.1

- b. Promote, remove, or reduce any other official or member, or promise or threaten to do so, for withholding or refusing to make any contribution for any political party or purpose or club, or for refusal to render any political service. RSMo. 84.830.2
 - c. Directly or indirectly attempt to coerce, command, or advise any other member to make any contribution or render any such service as stated in the preceding section. RSMo. 84.830.2
 - d. Use their official authority or influence to interfere with any election or any nomination for office, or do anything to affect the result thereof, except to express their personal opinion and vote as they choose. RSMo. 84.830.2
 - e. While on-duty or while wearing the Department's uniform (any parts thereof, clothing, or other item containing a logo, mark, patch, badge or insignia of the Department) solicit any person to vote for or against any candidate for public office, or poll precinct, or be connected with other political work of similar character on behalf of any political organization, party, or candidate. RSMo. 84.830.2
 - f. Affix any sign, bumper sticker or other device to any property or vehicle under the control of the Department which either supports or opposes any ballot measure or political candidate. RSMo. 84.830.3
 - g. Directly or indirectly, give, render, pay, offer, solicit, or accept any money, service, or other valuable consideration for or on account of any appointment, proposed appointment, promotion to, or any advancement in, a position in the service of the Department. RSMo. 84.830.6
5. It is prohibited to cause any question in any examination relating to political or religious opinions or affiliations. RSMo. 84.830.4
6. No appointment, transfer, promotion, reduction, suspension, or removal of a member will be affected by such opinions or affiliations. RSMo. 84.830.4

- E. Members who are approached by an individual who desires to grant them or the Department a monetary reward, gift, or other compensation should inform the person in a businesslike manner that such gratuities are not accepted by Department members. However, if the individual desires to make a contribution to a Department affiliated not-for-profit organization, they should be advised to make the contribution payable specifically to that organization.
- F. Sworn members and reserve officers who initiate some police function when ethically obligated to do so while off duty will not accept rewards, gifts, or other compensation for services rendered.

Darryl Forté
Chief of Police

Adopted by the Board of Police Commissioners this ____ day of _____, 20__.

Michael Rader
Board President

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